

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

MEHMET AKIN,

12 CV 4286 (LDW) (AKT)

Plaintiff,

- against -

ANJON OF GREENLAWN, INC., ANTON  
PARISI, and JOHN PARISI,

Defendants.

**JOINT PRETRIAL ORDER**

Pursuant to the Amended Rules of the Honorable Leonard D. Wexler, Plaintiff and  
Defendants respectfully submit this Joint Pretrial Order for the Court's approval:

- (i) The full caption of the action is set forth above.
- (ii) Trial Counsel for Plaintiff is:

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Trial Counsel for Defendants is:

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Richard C. Goldberg, Esq.  
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(iii) This case is to be tried without a jury. The number of trial days estimated to be needed is three (3).

(iv) A. Plaintiff's witnesses:

1. Mehmet Akin (in person)
2. John Parisi (in person)
3. Anton Parisi (in person)
4. Patricia Sila (in person)
5. Fatih Kayas (in person)
6. Douglas Coffey (in person)

The plaintiff will not be calling any expert witnesses.

B. Defendants' witnesses: Same as Plaintiff's witnesses set forth in "A" above and additionally including;

Robert Pfister  
David Lomedico  
Daughter of David Lomedico  
Gary Citrongila

Defendants will not be calling any expert witnesses.

(v) The plaintiff will not be offering any deposition testimony in its case in chief.

Defendants currently intend to offer the deposition testimony of Mehmet Akin taken on September 23, 2013 at pp. 30-42, 43-48, 53-54, 70-71, 77-78, 78-81, 86-87, 101-106, 108-115, 135-137, 139, 142-148, 150-156, 167-179, 179-184, 188-189, 194-196, 203-211, 213-216, 217-224.

(vi) Plaintiff's Exhibits:

P1. Defendants' Answer to Plaintiff's Interrogatories marked as Exhibit 1 at a deposition.

P2. Plaintiff's IRS Individual Taxpayer Identification Number marked as Exhibit 2 at a deposition.

P3. Defendants' Answer to Amended Complaint and Counterclaim marked as Exhibit 3 at a deposition.

P4. Time cards marked as Exhibit 4 at a deposition.

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P5. Time cards marked as Exhibit 5 at a deposition.

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P6. Payroll receipt for week ending May 19 marked at Exhibit 6 at a deposition.

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P7. Payroll receipt for week ending December 16, 2010 marked as Exhibit 7 at a deposition.

P8. Payroll receipt for week ending January 20, 2011 marked as Exhibit 8 at a deposition.

P9. Time card marked as Exhibit 9 at a deposition.

P10. Time card marked as Exhibit 10 at a deposition.

P11. Time card marked as Exhibit 11 at a deposition.

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P12. Time card marked as Exhibit 12 at a deposition.

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P13. Time card marked as Exhibit 13 at a deposition.

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P14. Time card marked as Exhibit 14 at a deposition.

P15. Time card marked as Exhibit 15 at a deposition.

P16. Time card marked as Exhibit 16 at a deposition.

P17. Time card marked as Exhibit 17 at a deposition.

P18. Time card marked as Exhibit 18 at a deposition.

P19. Time card marked as Exhibit 19 at a deposition.

P20. Time card marked as Exhibit 20 at a deposition.

P21. Time card marked as Exhibit 21 at a deposition.

P22. Time card marked as Exhibit 22 at a deposition.

P23. Time card marked as Exhibit 23 at a deposition.

P24. Time card marked as Exhibit 24 at a deposition.

P25. Time card marked as Exhibit 25 at a deposition.

P26. Time card marked as Exhibit 26 at a deposition.

P27. Time card marked as Exhibit 27 at a deposition.

P28. Time card marked as Exhibit 28 at a deposition.

P29. Time card marked as Exhibit 29 at a deposition.

P30. Time card marked as Exhibit 30 at a deposition.

P31. Time card marked as Exhibit 31 at a deposition.

P32. Time card marked as Exhibit 32 at a deposition.

P33. Time card marked as Exhibit 33 at a deposition.

P34. Payroll receipt marked as Exhibit 34 at a deposition.

P35. Payroll receipt marked as Exhibit 35 at a deposition.

P36. Payroll receipt and time card marked as Exhibit 36 at a deposition.

P37. Payroll receipt and time card marked as Exhibit 37 at a deposition.

P38. Payroll receipts marked as Exhibit 38 at a deposition.

P39. Payroll document marked as Exhibit 39 at a deposition.

P40. Plaintiff's Response to Interrogatories

P41. Plaintiff's First Request for Admissions.

P42. Payroll receipts for weeks ending October 7, 2010 and July 19, 2012 exchanged as document 1 of the plaintiff's document production.

P43. Payroll receipts for weeks ending March 29, 2012 and May 3, 2012 exchanged as document 1 of the plaintiff's document production.

P44. Payroll receipt and time card for week ending July 5, 2012 exchanged as document 1 of the plaintiff's document production.

P45. Payroll receipt and time card for week ending March 1, 2012 exchanged as document 1 of the plaintiff's document production.

P46. Payroll receipt and time card for week ending July 12, 2012 exchanged as document 1 of the plaintiff's document production.

P47. Payroll receipt and time card for week ending June 28, 2012 exchanged as document 1 of the plaintiff's document production.

P48. Payroll receipt and time card for week ending June 21, 2012 exchanged as document 1 of the plaintiff's document production.

P49. Payroll receipt and time card for week ending June 14, 2012 exchanged as document 1 of the plaintiff's document production.

P50. Payroll receipt and time card for week ending June 7, 2012 exchanged as document 1 of the plaintiff's document production.

P51. Payroll receipt and time card for week ending May 31, 2012 exchanged as document 1 of the plaintiff's document production.

P52. Payroll receipt and time card for week ending May 24, 2012 exchanged as document 1 of the plaintiff's document production.

P53. Payroll receipt and time card for week ending May 17, 2012 exchanged as document 1 of the plaintiff's document production.

P54. Payroll receipt and time card for week ending May 10, 2012 exchanged as document 1 of the plaintiff's document production.

P55. Payroll receipt and time card for week ending April 19, 2012 exchanged as document 1 of the plaintiff's document production.

P56. Payroll receipt and time card for week ending March 15, 2012 exchanged as document 1 of the plaintiff's document production.

P57. Payroll receipt and time card for week ending March 22, 2012 exchanged as document 1 of

the plaintiff's document production.

P58. Payroll receipt and time card for week ending March 8, 2012 exchanged as document 1 of the plaintiff's document production.

P59. Payroll receipt and time card for week ending February 23, 2012 exchanged as document 1 of the plaintiff's document production.

P60. Payroll receipt and time card for week ending February 16, 2012 exchanged as document 1 of the plaintiff's document production.

P61. Payroll receipt and time card for week ending February 9, 2012 exchanged as document 1 of the plaintiff's document production.

P62. Payroll receipt and time card for week ending February 2, 2012 exchanged as document 1 of the plaintiff's document production.

P63. Payroll receipt for week ending January 19, 2012 exchanged as document 1 of the plaintiff's document production.

P64. Time card for week ending January 19, 2012 exchanged as document 1 of the plaintiff's document production.

P65. Payroll receipt for week ending January 5, 2012 exchanged as document 1 of the plaintiff's document production.

P66. Time card for week ending January 5, 2012 exchanged as document 1 of the plaintiff's document production.

P67. Time card for week ending December 29, 2011 exchanged as document 1 of the plaintiff's document production.

P68. Time card for week ending December 15, 2011 exchanged as document 1 of the plaintiff's document production.

P69. Time card for week ending December 22, 2011 exchanged as document 1 of the plaintiff's document production.

P70. Payroll receipt for week ending April 12, 2012 exchanged as document 1 of the plaintiff's document production.

P71. Payroll receipt for week ending January 26, 2012 exchanged as document 1 of the plaintiff's document production.

P72. Time record for week ending April 26, 2012 exchanged as document 1 of the plaintiff's document production.

P73. Payroll receipt for week ending December 16, 2010 exchanged as document 2 of the plaintiff's document production.

P74. Payroll receipt for week ending January 20, 2011 exchanged as document 2 of the plaintiff's document production.

P75. Defendants' Response to Plaintiff's First Request for the Production of Documents.

P76. Time cards for weeks ending March 3, 2011 and March 24, 2011 exchanged as part of the defendants' document production.

P77. Time cards for weeks ending March 31, 2011 and May 5, 2011 exchanged as part of the defendants' document production.

P78. Time card for week ending January 5, 2012 exchanged as part of the defendants' document production.

P79. Time card for week ending December 29, 2011 exchanged as part of the defendants' document production.

P80. Time card for week ending December 22, 2011 exchanged as part of the defendants' document production.

P81. Time card for week ending December 15, 2011 exchanged as part of the defendants' document production.

P82. Time card for week ending January 19, 2012 exchanged as part of the defendants' document production.

P83. Time card for week ending January 12, 2012 exchanged as part of the defendants' document production.

P84. Time card for week ending March 29, 2012 exchanged as part of the defendants' document production.

P85. Time card for week ending April 5, 2012 exchanged as part of the defendants' document production.

P86. Time card for week ending January 26, 2012 exchanged as part of the defendants' document production.

P87. Time card for week ending April 12, 2012 exchanged as part of the defendants' document production.

Defendants' Exhibits:

Defendants' Exhibit "A" (Defendants' Exhibits hereinafter referred to by letter designation) – Plaintiff's April 26, 2013 Response to Defendants' Interrogatories.

B – Plaintiff's IRS Tax Identification Number document marked as Exhibit "B" at Plaintiff's September 23, 2013 deposition (hereinafter referred to as "Plaintiff's Deposition")(same as P2 above).

C – Mehmet Akin Motor Pool Identification Card marked as Exhibit "A" at Plaintiff's Deposition [Objection, relevance].

D – Plaintiff's Response to Document Requests dated April 26, 2013 marked as Exhibit "D" at Plaintiff's Deposition.

E – Plaintiff's Supplemental Rule 26 Disclosures marked as Exhibit "E" at Plaintiff's Deposition [objection, Rule 26 Disclosures are not evidence and not admissible].

F – Defendants' Answer to Amended Complaint And Counterclaim dated December 20, 2012 marked at August 20, 2013 deposition.

G—Invoices marked as collective Exhibit "41" at Deposition

H—Customer Activity Report re: alarm system dated April 22, 2012 (part of document disclosure made by Defendants on January 21, 2013).

I – Oil Sales Receipts – part of document disclosure made by Defendants on January 21, 2013 and April 27, 2013.

J – Compilation/List of Gasoline Sales for the years 2009 – through July 2013 (marked at deposition) [objection, foundation, authenticity, underlying documents used to do the compilation were never disclosed].

K—Defendants' Answers to Plaintiff's First of Set of Interrogatories dated April 26, 2013 (marked as an Exhibit at deposition and included in Plaintiff's list of Exhibits above).

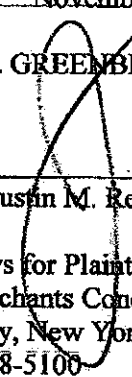
L—Defendants' Response To Plaintiff's First Request For Production of Documents dated April 26, 2013 (included in Plaintiff's list of Exhibits above)

Defendants may also utilize the time cards and payroll receipts marked by Plaintiff and set forth

above.

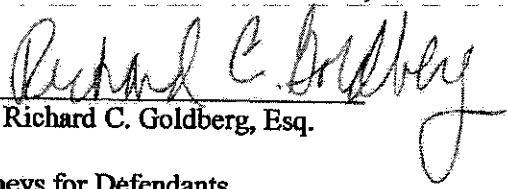
Dated: Westbury, New York  
November 5, 2013

NEIL H. GREENBERG & ASSOCIATES, P.C.

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